

**CITY OF CLEWISTON
Regular Commission Meeting
November 17, 2014**

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, November 17, 2014. The meeting was called to order at 5:00 p.m. by Mayor Phillip Roland. Pastor Benjamin Escorcia gave the invocation and the audience recited the Pledge of Allegiance. Pastor Alan Koch invited the audience to the Thanksgiving events at the churches in the area.

Commissioners Present: Mayor Phillip Roland, Commissioner Kristine Petersen, Commissioner Julio Rodriguez, and Commissioner-elect Sherida Ridgdill. Commissioner Mali Gardner and Commissioner James Pittman were absent.

Personnel Present: City Manager Al Perry, Finance Director Ted Byrd, City Clerk Marilyn McCorvey, Community Development Director Travis Reese, Recreation Director Lance Ramer, Utilities Director Danny Williams, and City Attorney Charles Schoech.

Visitors Present: Stephanie Busin, Benjamin Escorcia, Asa & Betty Godsey, Ana & Hector Guardia, Denise Hatton, Christine Howell, Donnie Hughes, Alan Koch, Pepe Lopez, Scott Martin, Curtiss Pullen, Laura Smith and John Wellslager.

City Attorney Schoech swore in newly elected Commissioners, Phillip Roland, Kristine Petersen, and Sherida Ridgdill. After being sworn in, Commissioner Ridgdill took her seat on the dais.

ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA – none

Gloria Rosen presented an update on the City's Pension Plan with Securian. The gain on investments for the retirement plan is \$1,220,955. The valuation results indicate the City's contribution requirement for this year is \$75,515, using the 30 year amortization schedule.

1. Consent Agenda

- A. City Commission Workshop Minutes – October 16, 2014*
- B. City Commission Meeting Minutes – October 20, 2014*
- C. Event Application – ACFC – Winter Wonderland – December 13, 2014*

Commissioner Rodriguez made a motion, seconded by Commissioner Petersen, to approve the consent agenda. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

RESOLUTIONS

- 2. Resolution No. 2014-11** – This Resolution expresses thanks and appreciation to Commissioner James Pittman for his years of service. City Manager Perry read the Resolution. Mayor Roland presented the plaque to former Commissioner Pittman and thanked him for his years of service. Commissioner Rodriguez commented that Mr. Pittman cares about the City and has done a great job representing it.

Commissioner Ridgdill made a motion, seconded by Commissioner Petersen, to approve Resolution No. 2014-11. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

- 3. Resolution No. 2014-12** – This Resolution supports the reauthorization of the Florida Rural Enterprise Zone Program. City Manager Perry read Resolution No. 2014-12 by title.

Commissioner Petersen made a motion, seconded by Commissioner Rodriguez, to approve Resolution No. 2014-12. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

- 4. Resolution No. 2014-13** – This Resolution adopts amendments to the budget for FY 2014-15 pertaining to Library grants. City Manager Perry read Resolution No. 2014-13 by title.

Commissioner Petersen made a motion, seconded by Commissioner Ridgill, to approve Resolution No. 2014-13. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

5. **Lien Reduction Request (1) – John Payne** – Mr. Payne purchased the property at 340 W. El Paso in June, 2014. One non-code enforcement case existed on the property at the time of purchase. The total sewer project lien on Mr. Payne's property at 340 W. El Paso is in the amount of \$37,688.37; principal in the amount of \$3,550.40, interest in the amount of \$13,799.23, and penalty of \$20,338.74. Mr. Payne purchased the property and was not aware the lien existed.
6. **Lien Reduction Request (2) – John Payne** – Mr. Payne purchased the property at 340 W. El Paso in June, 2014. Two Code Violation cases existed on the property at the time of purchase: Case # 11-0433, a violation for property maintenance which currently totals \$19,725; Case #13-0055, a violation for overgrowth/landscaping which currently totals \$11,575. Mr. Payne was unaware of the violations on the property when he purchased it. Both cases were found to be in compliance and closed on June 21, 2014 as Mr. Payne brought the property into compliance immediately after purchasing. Mr. Payne's case was heard by Special Magistrate Watt on October 15, 2014. Mr. Watt dismissed the case and turned the case over to the City Commission for disposition. In addition, Mr. Payne's property also has mowing liens in the amount of \$2,128.20; principal in the amount of \$1,539.35, and interest in the amount of \$588.85.

Commissioner Ridgill made a motion, seconded by Commissioner Petersen, to table agenda items 5 and 6 (John Payne lien reductions) until the December 15, 2014 Commission meeting. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

7. **Mosquito Control Bid Award** – Clarke Environmental was the only contractor that bid on the mosquito control contract. The bid amount is for \$160,000, which is a reduction of \$7,420.66 of the current contract. Additional treatments can be purchased at an added cost if needed. Commissioner Ridgill stated that she understood that the City has qualified personnel to do mosquito spraying on staff and would like to see some of the work brought back in house.

Commissioner Rodriguez made a motion, seconded by Commissioner Petersen, to award the 2015 mosquito control contract to Clarke Environmental in the amount of \$160,000. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

8. **Mowing Contract Bid Award** - The City received five bids for the mowing contract ranging from \$69,980 to \$88,800. Public Works Director Scheffler recommends awarding the bid to the low bidder, Service Lawn & Landscaping.

Commissioner Rodriguez made a motion, seconded by Commissioner Petersen, to award the 2015 mowing contract to Services Lawn and Landscaping in the amount of \$69,980.95. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

9. **Employee Tokens of Appreciation** – Since 1977, the City Commission has approved awarding Tokens of Appreciation to all City employees, full-time, part-time, volunteer firemen and Police Auxiliary. The tokens range from \$100 to \$200 depending on years of service. The total gross amount for the tokens if approved is \$20,682.54.

Commissioner Ridgill made a motion, seconded by Commissioner Rodriguez, to approve the Employee Tokens of Appreciation. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

10. **Formal Approval for the Truck Driver, Warehouse Specialist, Meter Reader, and Police Officer Job Postings** – City Manager Perry has previously obtained verbal approval for the hiring of these positions.

Commissioner Petersen made a motion, seconded by Commissioner Ridgdill, to formally approve hiring the aforementioned positions. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

Commissioner Ridgdill made a motion, seconded by Commissioner Petersen, to allow the City Manager replace budgeted positions without Commission approval, however any new positions would need to be approved by the Commission.

Commissioner Ridgdill amended her motion, seconded by Commissioner Petersen, to allow the City Manager to replace current year budgeted positions without Commission approval, however any new positions would need to be approved by the commission. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

- 11. Comprehensive Plan and Water Supply Plan Discussion** – The Planning and Zoning Board recommended that the City move forward with the approval of the amendments. The City needs to hold a public hearing and approve the Comprehensive Plan Amendments in order to attach them to the required ordinance as Exhibit A. The Commission has previously received the Amendments for review. Staff requests approval to move forward advertising a public hearing at the December 15, 2014 Commission meeting regarding the amendments.

Commissioner Ridgdill made a motion, seconded by Commissioner Petersen, to authorize staff to advertise a public hearing on December 15, 2014 regarding the Comprehensive Plan amendments and Water Supply Plan. Vote 4 yeas, 0 nays. (Commissioner Gardner was absent.)

12. Departmental Monthly Activity Reports - Presented for information only.

PUBLIC COMMENTS - At this time, any person will be allowed to speak on any matter that pertains to City business.

Scott Martin came forward to discuss marketing efforts with the Scott Martin Challenge. Mr. Martin stated the show has expanded to seven networks and his show will be the largest fishing show on TV. He stated they will deliver to over 400,000 households per week. Mr. Martin stated he promoted fishing and the Lake primarily to let everyone know how great it is in Clewiston. He stated he believed that advertising in 2015 was even more important because the FLW Tournament will not be in Clewiston this year. Mr. Martin stated he would like to incorporate the golf course into some kind of golf/fishing tournament format for one of his shows. He would also have a show showcasing his family and how we live in Clewiston. Mr. Martin stated the costs for his package to the City is \$20,000, which is extremely low if you consider the cost effectiveness. Commissioner Ridgdill asked if there was any way to track how many fishermen come to Clewiston because of the show. Commissioner Ridgdill stated this will be a hard decision for her to make and asked Mr. Martin for any information that he could supply the Commission.

Jerry Cochrane came forward to address the pension plan funding. Mr. Cochrane stated he is concerned that the Commission would consider paying a lesser amount than the amount budgeted for plan funding. He suggested paying the \$200,000 which will give the plan some more stability.

COMMENTS FROM THE CITY MANAGER – None

COMMENTS FROM THE CITY ATTORNEY – None

COMMENTS FROM THE CITY COMMISSION – Commissioner Ridgdill stated she had some questions on the red light cameras. Commissioner Ridgdill stated there has been a ruling in the courts and there are a lot of civil lawsuits being filed. She stated the revenue from the tickets has gone down and we are liable for a certain payment amount each month, has there been an amendment which allows us to pay less. City Attorney Schoech stated he would like to bring the whole issue to the Commission at the December meeting. He stated the 4th District Court of Appeals found there are two deficiencies in the process dealing with the vendor, ATS. The Court found that ATS should not be issuing the uniform traffic citations (UTC). Mr. Schoech stated our contract is similar to the one found

in violation and has a 120 day written notice requirement in order to terminate. Mr. Schoech stated the City should consider giving them the 120 day notice to terminate the agreement at the end of the five year term and should do it soon. He stated there is a provision in the contract that it could be terminated with mutual written consent from both parties, but he does not feel ATS will consent to end the contract. Mr. Schoech stated there is a provision for cause for failure to comply with the contract, and although there is a deficiency, he does not feel there is cause to end the contract. Mr. Schoech believes that an addendum to the contract will address the problems and should be discussed in December. Mr. Schoech stated he does feel the City should suspend issuing the UTC's until there is a resolution. He stated that ATS has also agreed to pay the legal fees the City might incur because of the ruling. Mr. Schoech reminded the Commission that when the cameras were installed, it was for public safety, not a revenue stream.

Commissioner Ridgdill asked for an update on the Commerce Park. She stated the last information she had was that All Juice did not produce the jobs required. City Manager Perry stated we have been notified that we will be required to pay back the \$360,000 grant, but will be given an extended period to repay. Commissioner Ridgdill asked if the pay back of \$360,000 was available in the budget and Finance Director Byrd stated there was no allowance for any repayment.

Commissioner Ridgdill stated she went to the Lake and there are definitely some traffic issues there. She stated there were a couple of weigh-ins going on and there were boats and trucks parked up on the dike and wondered if that might be detrimental to the dike. Mayor Roland stated he did not feel it was harming the dike.

ADJOURNMENT

The meeting was adjourned at 6:35 p.m.

Phillip Roland, Mayor

Marilyn McCorvey, City Clerk